

**First Amendment Complaint**

**Your name: Joseph W. Anderson**  
**Address: 17 Overlook Court**  
**Fairfield, Ohio 45014-5048**  
**Phone Number: (513) 942-1468**

**Pro Se : Plaintiff**

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**OF SAN FRANCISCO**

**Joseph W. Anderson**

**Plaintiff(s),**

**vs.**

**Google Inc.**

**Defendant(s).**

**Case Name: Anderson v. Google Inc.**

**Case Number: 3:12-cv-<sup>65</sup>05673-JST**

**NOTICE OF MOTION AND MOTION  
FOR FIRST AMENDED COMPLAINT**

**JUDGE:**

**HONORABLE JON S. TIGAR**

**I INTRODUCTION**

**Mr. Anderson who have nothing except work hard to rehabilitate his life from learning disabilities, through limited educational resources made available to him. Mr. Anderson continued efforts has shown promise of making positive contribution to society. Mr. Anderson began to be victimized through his association with Google Inc. Adword. Since Google Inc. learned of Mr Anderson disabilities, Google Inc. has been taking advantage of Mr. Anderson trustworthiness, which is an established factor associated with mild to servere persons with learning disabilities which is deemed borderline retardation. Sculptured Figurines an More in the website designed by Mr. Anderson. The contact information was The House of FigurineSculpture. The year of 2006.**

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**II.. FEDERAL RULE OF CIVIL PROCEDURE 8 (3)**

**(3) A demand for the relief sought;**

**(i) Demand for Relief Sought; UNDER CIVIL STATUTE 17 § 504(b)**

**Actual Damages and Profits.—** The copyright owner is entitled to recover the actual damages suffered by him or her as a result of the infringement, and any profits of the infringer that are attributable to the infringement and are not taken into account in computing the actual damages. In establishing the infringer's profits, the copyright owner is required to present proof only of the infringer's gross revenue, and the infringer is required to prove his or her deductible expenses and the elements of profit attributable to factors other than the copyrighted work.

**III. FEDERAL RULE OF CIVIL PROCEDURE 8 (2)**

**(2.) A short and plain statement of the claim showing that the pleader is entitled to relief.**

**(i) ENTITLEMENT;** Mr. Anderson website design and the exact United States Copyright titles are being reproduced and resold by the owner(s) of Google Inc. Mr. Anderson provided the Trade Secerts from his United States Copyright, which included graphic designs of the website, created in the year of 2006. The related titles were shown how the merchandise could be use to sell products to the public. This information was provided to obtain advertisement service and for the sole purpose of opening Mr.Anderson Adword account only. Google Inc. invasive approach to take & control the Intellectual Property of Mr. Anderson resulted in theft of trade secerts bring resold for Google Inc. commercial and monetary gain.

**( IN ACCORDANCE TO THEFT OF TRADE SECERTS )**

**(ii) Pursuant to Civil Statute 18 § 1832 Theft of Trade Secerts**

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(a) Whoever, with intent to convert a trade secret, that is related to a product or service used in or intended for use in interstate or foreign commerce, to the economic benefit of anyone other than the owner thereof, and intending or knowing that the offense will, injure any owner of that trade secret, knowingly—

(1) steals, or without authorization appropriates, takes, carries away, or conceals, or by fraud, artifice, or deception obtains such information;

(2) without authorization copies, duplicates, sketches, draws, photographs, downloads, uploads, alters, destroys, photocopies, replicates, transmits, delivers, sends, mails, communicates, or conveys such information;

(3) receives, buys, or possesses such information, knowing the same to have been stolen or appropriated, obtained, or converted without authorization;

4) attempts to commit any offense described in paragraphs (1) through (3); or

(5) conspires with one or more other persons to commit any offense described in paragraphs (1) through (3), and one or more of such persons do any act to effect the object of the conspiracy, shall, except as provided in subsection (b), be fined under this title or imprisoned not more than 10 years, or both.

The United States Copyright Trade Secerts were incorporated into Mr. Anderson website graphic designs. The website design detailed How the U.S Copyright title(s) related to Merchandise item(s) to be sold to the public with new English language discoveries.

The Demand for Criminal charges should be in order.

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### **IV. CONSISTENT ILLEGAL VIOLATIONS BEGAN IN THE YEAR OF 2006, AND STILL CONTINUES ON TILL THE YEAR OF 2013. ARE AS FOLLOWED...**

#### **(i) U.S Civil Statute 17 § 501 Infringement of copyright(a).**

**“Anyone who violates any of the exclusive rights of the copyright owner”**

**Mr. Anderson provided the website design associated with the United Sates Copyright that illustrated trade secerts from his work. These actions taken against Mr. Anderson constitutes Copyright Infringrment unlawful Reproduction of website designs and theft of Trade secerts.**

#### **(ii) Under Civil Statute § 106A – (1)(A), (3)(B).**

**(1) shall have the right—**

**(A) to claim authorship of that work, and**

**(3)(B) to prevent any destruction of a work of recognized stature, and any intentional or grossly negligent destruction of that work is a violation of that right.**

#### **(iii) Pursuant to U,S Civil Statute 17 § 506 Criminal Infringement (a)(1)(A),(B)**

**(a) Criminal Infringement. (Google Inc Published the Paid Advertisements)**

**(1.) In General - Any person who willfully infringes a copyright shall be punished as provided under section 2319 of title 18, if the infringement was committed**

**(A) for the purpose of commercial advantage or private financial gain;**

**(B) by the reproduction or distribution, including by electronic means.**

#### **(iv) In Accordance to Civil Statute 18 § 2319(a) Crimial Infringement of Copyright**

**(b) states Any person whom commits an offense under section § 506(a)(1)(A of title 17 shall be punished as provided in subsections (b), ( c), and (a).**

**under the Civil Statute 18 § 2319.**

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### **(v.) Under Civil Staute 17 § 1301 Designs Protected**

**(b) Definitions.—** For the purpose of this chapter, the following terms have the following meanings:

**(1)** A design is “original” if it is the result of the designer’s creative endeavor that provides a distinguishable variation over prior work pertaining to similar articles which is more than merely trivial and has not been copied from another source. Mr. Anderson related e commence business website designs warrant protection of the date of creation, September 29, 2006.

**Please take Notice ;**

### **REGISTRATION OF CLAIM under Civil Statute 17 § 410(c)**

**(i)** In any judicial prodeedings the certificate of a registration made before or within five years after first on of the work shall constitute prima facie evidence publication of the validity of the copyright and of the facts stated in the certificate.

**(ii)** The related website designs were created on Sept 29, 2006.

The United States Copyright took effect December 12, 2007

**(iii)** All related public advertisements displayed the Intellectual Property iconic symbols. This was for public awareness and protection from Federal Laws that would prevent unwarranted illegal reproduction of Copyright material and websites associated with development. Google Inc. published the paid advertisements that had shown Intellectual Property symbols. The relevancy in this case, show willful intent including the criminal intent to take Mr. Anderson Trade secerts & control the Intellectual Property of Mr. Anderson by taking advantage of a known disabled Adword client through theft and deception.

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### V. Part X- Other Offenses [ 2011 Federal Sentencing Guideline Manual

#### Statutory Provisions :

Under and/or pursuant to the Civil Statute 18 U.S Code §§ 2, 2284, 2339, 2339A, and 2339C(a)(1)(A).

(i) **Definition.**—For purposes of this guideline, "underlying offense" means the offense the defendant is convicted of aiding or abetting, or in the case of a violation of 18 U.S.C. § 2339A or § 2339C(a)(1)(A), "underlying offense" means the offense the defendant is convicted of having materially supported or provided or collected funds for, prior to or during its commission.

(ii) **Background:** A defendant convicted of aiding and abetting is punishable as a principal.

#### VI. 18 U.S.C. § 2. Aiding and Abetting commission of offense(s).

(i) This section provides that aiding and abetting the commission of an offense has the same offense level as the underlying offense. An adjustment for a mitigating role (§3B1.2) may be applicable.

(ii) **Historical Note:** Effective November 1, 1987. Amended effective November 1, 1990 (see Appendix C, amendment 359); November 1, 2002 (see Appendix C, amendment 637); November 1, 2003 (see Appendix C, amendment 655); November 1, 2007 (see Appendix C, amendment (700)

(iii) Google Inc. staff is well over a few thousand employees' that are currently being paid to willfully engage in the aiding & abetting. Then encouraged to resell stolen property, including the theft of trade secrets.

These trade secrets belong to Mr. Anderson Copyright issued 2007. Google Inc is placing paid advertisements on an illegally reproduced website design.

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The terms Organized Crime and Criminal Enterprise are similar and often used Title 18 of the United States Code, Section 1961(4), defines an enterprise as .. defines a criminal enterprise as any group of six or more people willfully engaged in criminal activities.

VII. Civil Statute 18 U.S.Code § 2 – Principals & those whom aids, abets, ...

(a) Whoever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal.

(b) Whoever willfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal.

VII. 18 USC § 3571 - Sentence of fine

(a) In General.— A defendant who has been found guilty of an offense may be sentenced to pay a fine.

(c) Fines for Organizations.— organizations that has been found guilty of an offense may be fined not more than the greatest of----

(1) the amount specified in the law setting forth the offense;

(2) the applicable amount under subsection (d) of this section;

(3) for a felony, not more than \$500,000;

(4) for a misdemeanor resulting in death, not more than \$500,000;

(5) for a Class A misdemeanor that does not result in death, not more than \$200,000;

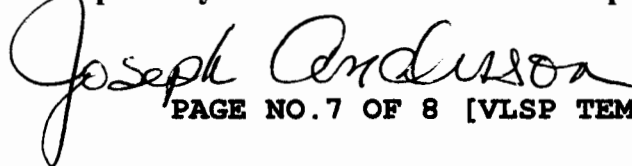
(6) for a Class B or C misdemeanor that does not result in death, not more than \$10,000;

and

(7) for an infraction, not more than \$10,000.

Thank you for allowing a few moments of your time

I respectfully submit First Amended Complaint,



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**Phone Number: (513) 942-1468**

**Pro Se : Plaintiff**

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**JUDGE:**

**HONORABLE JON S. TIGAR**

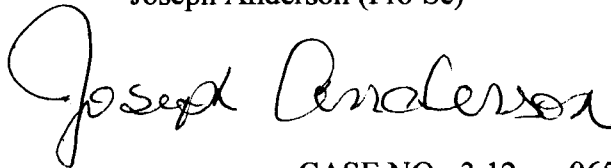
I, the undersigned, hereby certify that I am the plaintiff in this case no.  
3:12-cv-05673-JST. That I served a true and correct copy(ies) of the attached, by placing  
said copy(ies) in a paid postage envelope to the person(s) hereinafter listed by depositing said  
envelop into a paid overnight United States Post office.

Google Inc.

1600 Amphitheatre Parkway

Mountain View, CA 94043

Joseph Anderson (Pro Se)



**CERTIFICATE OF SERVICE**

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